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TEL 612.332.5300  
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www.merchant-  
gould.com  
A Professional Corporation**Fax Transmission** | November 5, 2004TO: Commissioner for Patents  
Attn: Examiner Karen C. Carlson  
P.O. Box 1450  
Alexandria, VA 22313-1450

FROM: Katherine M. Kowalchuk

OUR REF: 11613.12US11  
TELEPHONE: 612.371.5311

Total pages, including cover letter: 2

PTO FAX NUMBER 1-703.872.9306

If you do NOT receive all of the pages, please telephone us at 612.371.5204, or fax us at 612.332.9081.

Title of Document Transmitted: COMMUNICATION AND COPY OF THE  
INFORMATION DISCLOSURE STATEMENT AND  
FORM 1449 SUBMITTED ON JULY 10, 1992 AND 1  
REFERENCEApplicant: YOSHIMURA ET AL.  
Serial No.: 07/330,446  
Filed: MARCH 30, 1989  
Group Art Unit: 1653  
Our Ref. No.: 11613.12US11  
Confirmation No. 4539

Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate.

By: Katherine M. KowalchukName: Katherine M. KowalchukReg. No.: 36,848

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Sheryl A. BoerboomSheryl A. Boerboom  
Signature

GEN033.DOT

November 5, 2004  
Date

S/N 07/330,446

PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED**  
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Applicant:	YOSHIMURA ET AL.	Examiner:	K. CARLSON
Serial No.:	07/330,446	Group Art Unit:	1653
Filed:	March 30, 1989	Docket No.:	11613.12US11
Confirmation No.:	4539	Customer No.:	23552
Title:	HUMAN DERIVED MONOCYTE ATTRACTING PURIFIED PROTEIN PRODUCT USEFUL IN A METHOD OF TREATING INFECTION AND NEOPLASMS IN A HUMAN BODY, AND THE CLONING OF FULL LENGTH CDNA THEREOF		

CERTIFICATE UNDER 37 CFR 1.6(d)

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on November 5, 2004.

By: 

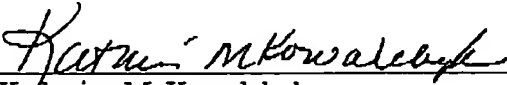
Name: Sheryl A. Boerboom

COMMUNICATIONCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants have previously submitted an Information Disclosure Statement and Form 1449 on July 10, 1992. Applicants have not received an initialed 1449. Applicants request that the Examiner consider the references, initial the PTO 1449 form and return to Applicants. Also enclosed as a courtesy, please find a copy of the reference entitled "Patent Abstracts of Japan" which is listed on the Form 1449.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300Date: November 5, 2004  
Katherine M. Kowalchuk  
Reg. No. 36,848  
KMK:sab**23552**

PATENT TRADEMARK OFFICE

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NOV 05 2004

PATENT  
1173-145P

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Teizo Yoshimura et al

Serial No.: 07/330,446

Group: 1814

Filed : March 30, 1989

Examiner: Dian Cook

For : HUMAN DERIVED MONOCYTE ATTRACTING PURIFIED PROTEIN  
PRODUCT USEFUL IN A METHOD OF TREATING INFECTION AND  
NEOPLASMS IN A HUMAN BODY, AND THE CLONING OF FULL  
LENGTH CDNA THEREOF

INFORMATION DISCLOSURE STATEMENT  
(SUBMISSION AFTER FINAL REJECTION OR  
NOTICE OF ALLOWANCE BUT PRIOR TO  
PAYMENT OF THE ISSUE FEE)

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

July 10, 1992

Sir:

Pursuant to 37 C.F.R. 1.97 and 1.98, applicant(s) hereby  
submit(s) an Information Disclosure Statement for consideration by  
the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for  
consideration by the Office (except U.S. patent applications) are  
listed on PTO-1449, attached hereto.

II. COPIES (check at least one box)

- a. x Submitted herewith is a legible copy of (i) each  
U.S. and foreign patent; (ii) each publication or  
that portion which caused it to be listed; and  
(iii) all other information or that portion which  
caused it to be listed, except that no copy of a  
U.S. patent application is included.
- b.        Any patents, publications or other information  
which are listed on PTO-1449 or on the copies of  
PTO-892 but which are not enclosed herewith were  
previously cited by or submitted to the PTO in one  
of the following applications which has been relied  
upon for an earlier filing date under  
35 U.S.C. 120:

U.S. Serial Number

U.S. Filing Date

III. CONCISE EXPLANATION OF THE RELEVANCE  
(check at least one box)

- a.   x   All of the patents, publications or other information are in the English language (concise explanation not required).
- b.        A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:

FEEs

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(d):  
(check box a or b)

- a.   x   after the mailing date of a Final Action under § 1.113 or
- b.        after the mailing date of a Notice of Allowance under § 1.311

but before payment of the Issue Fee.

See the Certification Under 37 C.F.R. 1.97(e) and the Petition Under 37 C.F.R. 1.97(d) below.

V. CERTIFICATION UNDER 37 C.F.R. 1.97(e) (check only one box)

The undersigned hereby certifies that

- a.   X   each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b.        no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.
- c.        Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement.

VI. PETITION UNDER 37 C.F.R. 1.97(d)

- X   Applicants hereby petition for consideration of this IDS. A fee in the amount of \$ 130.00 for the Petition fee set forth in 37 C.F.R. §1.17(i)(1) is required.

VII. PAYMENT OF FEES (check one box)

- X   A check in the amount of \$ 130.00 is enclosed for the above-indicated fee.
- Please charge Deposit Account No. 02-2448 in the amount of \$ 130.00 for the above-indicated fee. A triplicate copy of this paper is attached.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition if necessary) and charge the appropriate fee to Deposit Account No. 02-2448.

Please charge any additional fees or credit any overpayment pursuant to 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH

By

  
Gerald M. Murphy, Jr.

Reg. No. 28,977

301 North Washington Street

P.O. Box 747

Falls Church, Virginia 22040-0747

703/241-1300

GMM/JWB:bmp

Enclosures:

  x   PTO-1449

       PTO-892

  x   References

  x   Foreign Search Report

       Other:

(3/92)

[illegible]